

06/21/01

**Birch, Stewart, Kolasch & Birch, LLP**  
Intellectual Property Law

**PARTNERS**  
Barrell C. Birch  
Raymond C. Stewart  
Joseph A. Kolach  
James M. Slattery  
Richard L. Sweeney\*  
Michael K. Mutter  
Charles Gorenstein  
Gerald M. Murphy, Jr.  
Leonard R. Svensson  
Terry L. Clark  
Andrew D. Meikle  
Marc S. Weiner  
Joe McKinney Muncy  
Robert J. Kenney  
Donald J. Daley  
John W. Bailey  
John A. Castellano  
Gary D. Yacura  
Thomas S. Auchterlonie  
Mark J. Nuell, Ph.D.

**OF COUNSEL**  
Herbert M. Birch (1905-1996)  
Elliot A. Goldberg\*  
William L. Gates\*  
Edward H. Valance  
Rupert J. Brady (Ret.)\*  
F. Prince Butler  
Fred S. Whisenhunt  
James W. Hellwege

\*Admitted to a bar other than VA

8110 Gatehouse Road  
Suite 500 East  
Falls Church, VA 22042-1210  
USA

703 205 8000 (tel)  
703 205 8050 (fax)  
703 698 8590 (GIV)

mailroom@hskb.com

www.bskb.com

www.uskb.com

**CALIFORNIA OFFICE**

Costa Mesa, California

**CALIFORNIA OFFICE**

Costa Mesa, California

ASSOCIATES  
LAW FIRM

James T. Eller, Jr.  
Scott L. Lowe  
D. Richard Anderson  
Paul C. Lewis  
Mark W. Mistead\*  
Richard J. Gallagher  
Jayne M. Saydah\*  
MaryAnne Armstrong, Ph.D.  
Kecia J. Reynolds  
Robert L. Scott, II  
Kalpana Reddy  
Larry J. Hume

REG. PATENT AGENTS

Frederick R Handren  
Maki Hatsumi  
Craig A McRobbie  
Garth M Dahlén, Ph D  
Robert E Goosner, Ph D  
Matthew J Lattig  
Timothy R Wyckoff  
Kristi L Rupert, Ph D  
Hrayr A Sayadian, Ph D  
Matthew T Shanley  
Jason W Rhodes  
Christina F Annick  
Susan W Gorman, Ph D  
David J Cho

Date: June 21, 2001

Docket No.: 0020-4877E

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 08/468,560 filed on June 6, 1995,  
the entire contents of which are hereby incorporated, by  
reference,  
by

NAGATA, Shigekazu; ITOH, Naoto; and YONEHARA, Shin  
for

DNA CODING FOR HUMAN CELL SURFACE ANTIGEN

1.  Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:



MAIL ADDRESS: P.O. Box 747, Falls Church, Virginia, USA 22040-0747

		LARGE ENTITY	SMALL ENTITY
BASIC FEE		\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE
<b>TOTAL CLAIMS</b>	13-20 =	0	x 18 = \$0.00
<b>INDEPENDENT CLAIMS</b>	2-3 =	0	x 80 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		+ \$270.00	+ \$135.00
		<b>TOTAL</b>	\$980.00
			\$0.00

3.  A check in the amount of \$980.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/468,560, filed on June 6, 1995, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--

b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/468,560, filed on June 6, 1995 and for which priority is claimed under 35 U.S.C. § 120. Application No. 08/468,560 is the national phase of PCT International Application No. PCT/\_\_\_\_/\_\_\_\_ filed on \_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. filed in on under 35 U.S.C. § 119.-

6.  Enclosed is/are thirteen (13) sheet(s) of formal drawings and/or photographs.

7a.  A statement claiming small entity status was filed in prior Application No. 08/468,560 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

7b.  The current application qualifies for small entity status.

8.  The prior application is assigned to Osaka Bioscience Institute.

9.  A Preliminary Amendment is enclosed.

10a.  Priority of Application No(s). 125234/1991 filed in JAPAN on April 26, 1991 is/are claimed under 35 U.S.C. § 119.

10b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119 are hereby reclaimed.

11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

12.  Address all future communications to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
or  
Customer No. 2292

13.  An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 08/468,560 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Docket No. 0020-4877P

If necessary, the Commissioner is hereby authorized in this, C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Gerald M. Murphy, Jr., #28,977

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GMM/MAA/csp  
0020-4877P

Attachments

(Rev. 01/23/01)